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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,376	09/23/2003	Kazuyoshi Nishijima	Q76898	9201
23373	7590 10/06/2005		EXAM	INER
SUGHRUE MION, PLLC			WEBB, TIFFANY LOUISE	
2100 PENNS SUITE 800	YLVANIA AVENUE,	N.W.	ART UNIT PAPER NUMBER	
WASHINGTON, DC 20037			3616	

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

K					
. /	Application No.	Applicant(s)			
	10/667,376	NISHIJIMA ET AL.			
Office Action Summary	Examiner	Art Unit			
·	Tiffany Webb	3616			
The MAILING DATE of this communicated Period for Reply	ation appears on the cover sheet wit	h the correspondence address			
A SHORTENED STATUTORY PERIOD FOR THE MAILING DATE OF THIS COMMUNIC. - Extensions of time may be available under the provisions of after SIX (6) MONTHS from the mailing date of this commun. - If the period for reply specified above is less than thirty (30) of the period for reply is specified above, the maximum status. - Failure to reply within the set or extended period for reply will Any reply received by the Office later than three months after earned patent term adjustment. See 37 CFR 1.704(b).	ATION. 37 CFR 1.136(a). In no event, however, may a re ication. days, a reply within the statutory minimum of thirty tory period will apply and will expire SIX (6) MONT, by statute, cause the application to become ABA	ply be timely filed (30) days will be considered timely. THS from the mailing date of this communication. ANDONED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed	on				
2a) This action is FINAL . 2b					
3) Since this application is in condition fo	· · · ·				
closed in accordance with the practice	under Ex parte Quayle, 1935 C.D.	11, 453 O.G. 213.			
Disposition of Claims					
4) Claim(s) 1-13 is/are pending in the a 4a) Of the above claim(s) is/are 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-13 are subject to restriction	withdrawn from consideration.				
Application Papers					
9) The specification is objected to by the	Examiner.				
10) The drawing(s) filed on is/are: a	a) accepted or b) objected to b	y the Examiner.			
Applicant may not request that any objecti	***				
Replacement drawing sheet(s) including the					
11)☐ The oath or declaration is objected to b	by the Examiner. Note the attached	Office Action of form PTO-152.			
Priority under 35 U.S.C. § 119					
	ocuments have been received. Ocuments have been received in Ap I the priority documents have been a I Bureau (PCT Rule 17.2(a)).	oplication No received in this National Stage			
Attachment(s)	A) 🗆 Interview S	ummary (PTO-413)			
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-3) Information Disclosure Statement(s) (PTO-1449 or Prepare No(s)/Mail Date 	O-948) Paper No(s)/Mail Date formal Patent Application (PTO-152)			

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DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I: Figures 1-9

Species II: Figures 10-11B

Species III: Figures 12 and 13

Species IV: Figures 14-17

Species V: Figures 18-22

Species VI: Figures 23-25

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

- 2. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiffany Webb whose telephone number is 571-272-2797. The examiner can normally be reached on 8-4:30 M-F.

Art Unit: 3616

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tlw

Tiffany Webb Examiner Art Unit 3616

> MANIHTUR PRIMARY EXAMINER ()

> > 19/03/05